

HOUSE No. 1863

By Mrs. Walrath of Stow, petition of the Associated Industries of Massachusetts and others relative to the inspection of certain tanks used for the storage of fluids. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

PETITION OF:

By Robert Ruddock	Mary E. Grant
Associated Industries of	Anne M. Gobi
Massachusetts	Pamela P. Resor
Patricia A. Walrath	Mary S. Rogeness
Richard T. Moore	John A. Lepper
Emile J. Goguen	Walter F. Timilty
Anthony J. Verga	

In the Year Two Thousand and Five.

AN ACT RELATIVE TO CERTAIN TANKS USED FOR THE STORAGE OF FLUIDS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 37 of Chapter 148 of the General Laws,
2 as appearing in the 2002 Official Edition, is hereby amended by
3 striking out, in line 3, the words “any fluid other than water” and
4 inserting in place thereof the following words:— any flammable
5 or combustible fluids.

1 SECTION 2. Said section 37 of said Chapter 148, as so appear-
2 ing, is hereby further amended by striking out the second para-
3 graph and inserting in place thereof the following paragraph:—
4 The marshal shall establish rules and regulations providing for
5 an inspection of tanks or containers on an annual basis or at such
6 other frequency as may be determined by the marshal. The inspec-
7 tion fee shall be determined annually by the commissioner of
8 administration under the provisions of section three B of chapter
9 seven. Said rules and regulations shall require owners or operators

10 to maintain said tanks or containers on a regular basis and to keep
11 records of inspections, repairs and maintenance for each tank or
12 container in such form as prescribed by the marshal. The marshal
13 may establish standards and qualifications for those persons
14 authorized to conduct inspections under this section. In addition to
15 the inspections required by regulation, the marshal may inspect
16 the premise tanks or containers, dikes, facilities or equipment any
17 time during reasonable business hours to determine compliance
18 with this section or related regulation. For purposes of this sec-
19 tion, the marshal shall define by regulation what constitutes a
20 flammable or combustible fluid.